

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

GARY RAY CORSE,

Plaintiff,

vs.

No. CIV 25-0106 JB/GBW

E. O'MEARA,

Defendant.

**MEMORANDUM OPINION AND ORDER**

**THIS MATTER** comes before the Court on the Plaintiff's Petition to Proceed Pro Se, filed January 21, 2025 (Doc. 1)("Petition").<sup>1</sup> The Plaintiff Gary Ray Corse appears pro se. For the reasons set out below, the Court: (i) denies the Petition; (ii) orders Corse to have an attorney enter an appearance in this case on Corse's behalf; and (iii) orders Corse to sign the Petition.

The Honorable Scott W. Skavdahl, United States District Judge for the United States District Court for the District of Wyoming, sitting by designation, imposed filing restrictions on Corse. See Corse v. O'Meara, No. CIV 13-0851 SWS/KBM, Order Imposing Filing Restrictions, filed December 9, 2013 (No. CIV 13-0851 Doc. 10)("Order"). Judge Skavdahl orders that Corse may not file a complaint against any defendant in the United States District Court for the District of New Mexico "unless either (i) a currently licensed attorney who has been admitted to practice before this Court signs the pleading and represents him or (ii) Corse first obtains permission to proceed pro se." Order at 1-2.

To obtain permission to proceed pro se, Corse must file a petition with the Clerk of the Court requesting leave to file a pro se complaint, to which he must attach a copy of his proposed complaint, the application to proceed IFP, if any, and a copy of these filing restrictions. The petition must set out the specific jurisdictional authority on which Corse bases his suit. If he is seeking to sue a defendant whom

---

<sup>1</sup>The Petition does not have a title. The Clerk's Office docketed the Petition as a "Complaint." The Court construes the Petition as a petition to proceed pro se.

he has previously sued in any court, he shall attach his previous complaint/s and all orders entered in the case/s, and explain in his petition why his suit is not barred by the doctrine of res judicata.

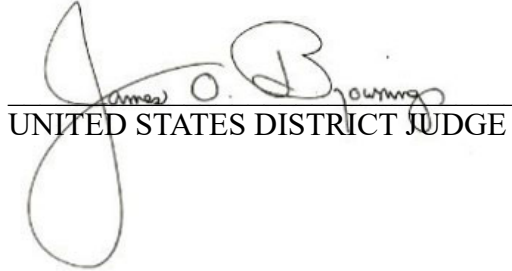
The Clerk of the Court shall forward the materials to the Chief Magistrate Judge of the United States District Court for the District of New Mexico for review to determine whether to permit the filing of the complaint. Without the Chief Magistrate Judge's approval, the Clerk will not accept a petition or complaint for filing. If the Chief Magistrate Judge approves the filing, the Chief Magistrate Judge will instruct the Clerk to file the petition/complaint and the case may proceed in accordance with the Federal Rules of Civil Procedure. If the Chief Magistrate Judge does not approve the filing, with the concurrence of an Article III Judge, the Court will send a letter to Corse informing him that permission to file his complaint has been denied.

Order at 2. The Honorable Gregory B. Wormuth, Chief United States Magistrate Judge for the United States District Court for the District of New Mexico, has not approved the Petition. Corse, therefore, may not file a complaint unless "a currently licensed attorney who has been admitted to practice before this Court signs the pleading and represents him." Order at 1-2.

The Court denies the Petition. Corse must, within twenty-one days of this Memorandum Opinion and Order's entry, have a currently licensed attorney who has been admitted to practice before the Court enter an appearance in this case on Corse's behalf and sign and file the Petition. Failure timely to have an attorney enter an appearance on Corse's behalf and sign and file the Petition will result in dismissal of this case.

Additionally, Corse does not sign his Petition as rule 11(a) of the Federal Rules of Civil Procedure requires. See Fed. R. Civ. P. 11(a) ("Every pleading, written motion, and other paper must be signed . . . by a party personally if the party is unrepresented."). The Court will strike the Petition if Corse does not sign the Petition within twenty-one days of this Order's entry. See Fed. R. Civ. P. 11(a) ("The court must strike an unsigned paper unless the omission is promptly corrected after being call to the . . . party's attention.").

**IT IS ORDERED** that: (i) the Plaintiff's Petition to Proceed Pro Se, filed January 21, 2025 (Doc. 1), is denied; (ii) the Plaintiff must, within twenty-one days of this Memorandum Opinion and Order's entry, have a currently licensed attorney who has been admitted to practice before this Court enter an appearance in this case on the Plaintiff's behalf, and sign and file the complaint; and (iii) the Plaintiff must, within twenty-one days of this Memorandum Opinion and Order's entry, sign the Petition.



UNITED STATES DISTRICT JUDGE

*Parties:*

Gary Ray Corse  
Albuquerque, New Mexico

*Petitioner pro se*